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**JAN 22 2008**

## FAX FILING IN U.S. PATENT & TRADEMARK OFFICE

DATE: January 22, 2008

TIME: \_\_\_\_\_

TO:	Commissioner for Patents		
FAX NO.:	571-273-8300		
FROM:	Jacques L. Etkowicz	ADMIN. ASST.:	Kathleen P. Carney
APPLN. NO.:	10/728,560	ATTY. DOCKET NO.:	BBM-103US
TITLE OF APPLN.: PHARMACEUTICAL COMPOUNDING SYSTEMS AND METHODS AND INFORMATION MANAGEMENT SYSTEM FOR SAME			
FILING DATE:	December 5, 2003	ART UNIT:	2125
FIRST INVENTOR:	Aleandro DiGianfilippo	CONF. NO.:	9986
TITLE OF DOCUMENT: Response to Notice of Drawing Inconsistency with Specification			
List of Attachments: Transmittal (1), Response (2), Copy of Notice (1)			
<i>Total Number of Pages: 5 (including this form)</i>			

COMMENTS

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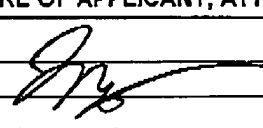
PTO/SB/21 (09-04) (AW 10/2004)  
 Approved for use through 7/31/2006. OMB 0651-0031  
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

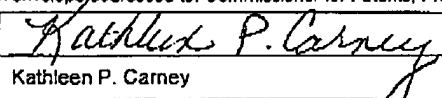
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<h2>TRANSMITTAL FORM</h2> <p><i>(to be used for all correspondence after initial filing)</i></p>	Application Number	10/728,560	
	Filing Date	December 5, 2003	
	First Named Inventor	Aleandro DiGianfilippo	
	Art Unit	2125	
	Examiner Name	Zolla E. Cabrera	
Total Number of Pages in This Submission	5	Attorney Docket No.	BBM-103US

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ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO Faxsheet Response to Notice of Drawing Inconsistency with Specification
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm Name	RatnerPrestia		
Signature			
Printed Name	Jacques L. Etkowicz		
Date	January 22, 2008	Registration No.	41,738

CERTIFICATE OF TRANSMISSION / MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or Printed Name	Kathleen P. Carney	Date	January 22, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.  
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BBM-103US

PATENT

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 10/728,560  
 Applicant: Aleandro DiGianfilippo et al.  
 Filed: December 5, 2003  
 Title: PHARMACEUTICAL COMPOUNDING SYSTEMS AND METHODS AND  
 INFORMATION MANAGEMENT SYSTEM FOR SAME  
 TC/A.U.: 2125  
 Examiner: Zoila E. Cabrera  
 Docket No.: BBM-103US

**RESPONSE TO NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION**

Mail Stop Issue Fee  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

The Notice dated January 16, 2008 sets forth that 115 figures are contained in the above-identified application. Applicants have reviewed the Notice and submit that it is defective on its face. Applicants respectfully direct the Office's attention to the drawing in which the Figures start at Figure 1 on sheet 1 and end at Figure 21B on sheet 100 yielding a total of 110 figures. The figures are listed in the Brief Description of the Drawings found in the specification as originally filed at page 5, line 13 to page 7, line 23. Accordingly, there is no Figure 115 in the drawing and therefore there cannot be a description of that non-existent figure. In addition, during the thorough examination of this application by the Examiner, she did not raise any objection regarding a lack of the consistency between the Figures and the Description of the Drawing.

Applicants respectfully request therefore that the Notice of Drawing Inconsistency be withdrawn and the application allowed to proceed to grant.

Respectfully submitted,

RatnerPrestia

  
\_\_\_\_\_  
Jacques L. Etkowicz, Reg. No. 41,738  
Attorney for Applicants

JLE/kpc

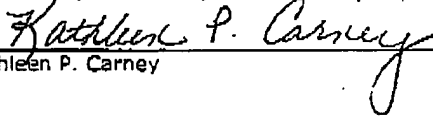
Attachment: Notice of Drawing Inconsistency with Specification

Dated: January 22, 2008

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Valley Forge, PA 19482-0980  
(610) 407-0700

The Director is hereby authorized to charge or credit Deposit Account No. **18-0350** for any additional fees, or any underpayment or credit for overpayment in connection herewith..

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\_\_\_\_\_  
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,560	12/05/2003	Alcandro DiGianfilippo	BBM-103US	9986
7590 01/16/2008		EXAMINER CABRERA, ZOILA E		
RATNERPRESTIA		ART UNIT PAPER NUMBER		
P O BOX 980		2125		
VALLEY FORGE, PA 19482-0980		MAIL DATE DELIVERY MODE		
		01/16/2008 PAPER		

**NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION**

The drawings filed 3-17-05 have been received. However, an inconsistency exists between the drawings and the Brief Description of the Drawings in the specification.

Figures \_\_\_\_\_ are listed in the Brief Description of the Drawings in the specification but not contained in the Drawings.

Figures 115 are contained in the Drawings but not listed in the Brief Description of the Drawings in the specification.

Applicant is required to correct the above-noted inconsistency within a time period of **ONE MONTH or THIRTY (30) DAYS, whichever is longer**, from the mailing date of this Notice, or within the time remaining in the time period set forth in the Notice of Allowability (Form PTOL-37) to file corrected drawings, whichever is longer. **NO EXTENSION OF THIS TIME PERIOD MAY BE GRANTED UNDER EITHER 37 CFR 1.136 (a) OR (b).**

Failure to correct the above noted inconsistency will result in abandonment of the application.

The file will be held in the Publishing Division to await the correction of the inconsistency.

**Return Corrected Drawings/Specification to:**  
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